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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,913	11/21/2003	Nobuo Ichimura	062709-0118	7376

22428 7590 07/14/2005

FOLEY AND LARDNER
 SUITE 500
 3000 K STREET NW
 WASHINGTON, DC 20007

EXAMINER

BOCHNA, DAVID

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/717,913

Applicant(s)

ICHIMURA ET AL.

Examiner

David E. Bochna

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 5-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 5-12 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected method and apparatus, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 6/27/05.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson et al.

In regard to claim 1, Wilson et al. discloses a structure for a first member and a second member, comprising:

a first member 20 having a peripheral wall portion including a stepped portion 62 engaged with a second member 28, the peripheral wall portion being a deformed portion 74 deformed inwardly of the stepped portion 62 of the first member, the deformed portion 74 having a thin shape provided by a cut section of the peripheral wall portion.

In regard to claim 2, Wilson et al. discloses a connecting structure of a pipe connected to a passage formed in a member, comprising:

a projection portion 42 provided so as to project from the pipe radially and outwardly; a recess portion 56 provided at an open end of the passage formed in the member and receiving the projection portion of the pipe; and

a peripheral wall 74 portion engaged with the projection portion by bending and deforming the peripheral wall portion inwardly of the recess portion while cutting the peripheral wall portion in a thin shape at a distance from the recess portion so that the pipe inserted into the opening end of the passage in the member and the projection portion of the pipe has been received in the recess portion are connected.

In regard to claim 3, wherein the projection portion 42 is formed in an annular shape on an outer periphery of the pipe, the recess portion is formed in an annular shape on an outer periphery of the passage in the member, and the peripheral wall portion 74 is deformed inwardly in a continuous annular shape.

4. Claims 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Gaitros et al.

In regard to claim 2, Gaitros et al. discloses a connecting structure of a pipe connected to a passage formed in a member, comprising:

a projection portion 4 provided so as to project from the pipe radially and outwardly;
a recess portion 6 provided at an open end of the passage formed in the member and receiving the projection portion of the pipe; and

a peripheral wall portion 8 engaged with the projection portion by bending and deforming the peripheral wall portion inwardly of the recess portion while cutting the peripheral wall portion in a thin shape at a distance from the recess portion so that the pipe inserted into the opening end of the passage in the member and the projection portion of the pipe has been received in the recess portion are connected.

In regard to claim 4, wherein the projection portion is formed in an annular shape on an outer periphery of the pipe,

the recess portion is formed in an annular shape on an outer periphery of the passage in the member, and

the peripheral wall portion is bent and deformed inwardly at intermittent sections in a circumferential direction (see figs 6-8).

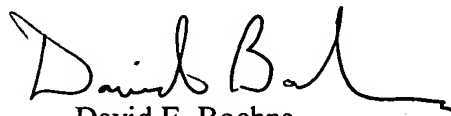
Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Law et al., Ridenour, and Kull et al. all disclose similar couplings common in the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David E. Bochna
Primary Examiner
Art Unit 3679